

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CLAUDETTE LOZANO, and  
DAVID PRICE,

Plaintiffs,

v.

SCRIPPS MEDIA, INC.,

Defendant.

Case No: 22-cv-00612

Hon. Jane M. Beckering

Mag. Judge Phillip J. Green

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**DEFENDANT'S MOTION FOR PERMISSION TO HAVE CO-COUNSEL  
ATTEND SETTLEMENT CONFERENCE**

Defendant Scripps Media, Inc., by its counsel, Kienbaum Hardy Viviano Pelton & Forrest, P.L.C., moves this Court for permission to have co-counsel attend the settlement conference, and in support says:

1. Defendant Scripps Media, Inc., is represented by the law firm Kienbaum Hardy Viviano Pelton & Forrest, PLC. Appearances have been filed by lead counsel, Elizabeth Hardy, and co-counsel Sonja Lengnick and David Porter.

2. The Court has scheduled a settlement conference for September 18, 2023. The Court's Order Regarding Settlement Conference states that, "[u]nless excused by a showing of good cause, the attorney who is to conduct the trial shall attend the settlement conference[.]"

3. Ms. Hardy, lead trial counsel, is scheduled to be in trial in another matter, *Deanna Johnson v Ford Motor Co.*, No. 19-cv-10167 (E.D. Mich.), before Judge Gershwin A. Drain, beginning on September 14, 2023. Trial was originally scheduled for August 22, 2023, but was adjourned because of scheduling conflicts by the Court. The trial is expected to last two weeks.

4. Because of Ms. Hardy's scheduling conflict, and out of an abundance of caution, Scripps requests leave to have co-counsel, David Porter, attend the settlement conference. Mr. Porter will participate as co-counsel at any trial in this matter, in addition to lead counsel, Ms. Hardy. He was the primary drafter of the discovery- and dispositive-motion briefing, and he represented Scripps at both hearings regarding Plaintiffs' discovery motions. He is also familiar with the parties' settlement negotiation history.

Therefore, based on good cause shown, Scripps requests permission to have Mr. Porter attend the settlement conference as Scripps' representative.

Respectfully submitted,

KIENBAUM HARDY VIVIANO  
PELTON & FORREST, P.L.C.

By: /s/ David Porter  
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Dated: September 7, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on September 7, 2023, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to all parties of record.

/s/ David Porter

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